IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3362 OF 2006
IN
FIRST APPEAL NO. 3034 OF 2006

The New India Assurance Co. Ltd. ..Applicant
Appellant
versus

Smt. Neela Anand Phadke & Ors. ..Respondents

Ms. R. Bhargavan i/b. R. Bhargavan & Associates for the Appellant.

None for the Respondent No.1.

WITH

CIVIL APPLICATION NO. 4980 OF 2006

Smt. Neela Anand Phadke & Ors. ..Applicants
versus
The New India Assurance Co.Ltd. ..Respondents

None for the Applicant No.1.

Ms. R. Bhargavan i/b. R. Bhargavan & Associates for the Respondents.

CORAM : D. G. DESHPANDE, &
Smt. R. S. DALVI, JJ.

DATE : 9TH APRIL, 2006

P.C. (IN CHAMBER) :

1. The matter is on board in chamber, for speaking to the minutes of our order dated

28.11.2006, at the instance of the Applicant. Nobody is present for the Applicant in application No. 4980 of 2006.

2. In our order dated 28.11.2006, in paragraph 4, we permitted the claimants to withdraw the amount on furnishing surety or security to the satisfaction of the Tribunal. However, in the letter written by the applicants / claimants Advocate for speaking to the Minutes, their difficulty is that the amount is deposited in this Court and therefore they want that the surety or security should be permitted to be given in this Court. Counsel for the New India Assurance Company, has no objection to allow this prayer. Therefore original order dated 28.11.2006 stands modified to the extent that the claimants to furnish surety or security to the satisfaction of the Registrar (General) of this Court. Order stands corrected accordingly.

(D.G. DESHPANDE, J.)

(Smt. R.S. DALVI, J.)